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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/587,466	07/25/2006	Masahiro Takatori	MAT-8879US	2008
52473 RATNERPRES	7590 07/12/201 STIA	EXAMINER		
P.O. BOX 980	CE DA 10492	VANDERHORST, MARIA VICTORIA		
VALLEY FORGE, PA 19482			ART UNIT	PAPER NUMBER
		3688		
			MAIL DATE	DELIVERY MODE
			07/12/2010	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, PROM THE MAILING DATE OF THIS COMMUNICATION.  - Established for many by enables under the provisions of 37 CFR 1.18(b), into event, however, may a reply be timely filed.  - If NO period for regly is specified above, the read-main statutory period will apply and will expire SIX (8) MONTHS from the matting date of this communication.  - Failur to review within the sid or control period for expire will be the time the maximum statutory provided by the provided by the office librar base three months after the mailing date of this communication, even if simely filed, may reduce any search plantic man abjustment. Size 2 (273: 1740):  - Status  - This action is FINAL.  - 2b) This action final.  - 2b) This action is final.  - 2b) This action is f		Application No.	Applicant(s)					
M. MCTORIA VANDERHORST   3688	Office Action Commence	10/587,466	TAKATORI, MASAHIRO					
- The MAILING DATE of this communication appears on the cover sheet with the correspondence address — Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ½ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.  Excession of time reply a equalise under the provisions of 3 CFR1.13(a). In owent, however, any reply the time yill will be communicated period for raple is specified above, the meanthum statutory period will apply and will exply a SN (6) MONTHS from the milling date of this communication.  Failur to region with the state of the communication of this communication. Failur to reply with this sect or residuely selected period for raple is specified above, the meanthum shall the mailing case of this communication, even if annuly find, may more any search plant in milling case of this communication. Explore the property of the pro	Oπice Action Summary	Examiner	Art Unit					
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.  - Exhibitors of time rary to available under the provisions of 37 CFR 1.30(a). In no event, however, may a next be the marked of the communication of the provisions of 37 CFR 1.30(a). In no event, however, may a next be the marked of the communication of rary is specified above, the maximum statutory prodoff way good, and will expire the marked of the communication.  - Failure to reply willin the set of evabrated promotion from the marked date of this communication, seen if strongly filed, may reduce any output them adjustment is set of the communication of this communication, seen if strongly filed, may reduce any output them adjustment. Seen 37 CFR 1.704(b).  Status  1) □ Responsive to communication(s) filed on 25 July 2006.  2a) □ This action is FINAL. 2b) □ This action is non-final.  3) □ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) □ Claim(s) 1-29 is/are pending in the application.  4a) Of the above claim(s) is/are withdrawn from consideration.  5□ □ Claim(s) is/are rejected.  7□ □ Claim(s) is/are rejected.  7□ □ Claim(s) is/are rejected to by the Examiner.  4Application Papers  9) □ The specification is objected to by the Examiner.  Application Papers  9) □ The specification is objected to by the Examiner.  Application Papers  10□ □ The drawing(s) filed on is/are: a) □ accepted or b) □ objected to by the Examiner.  Application Papers  11□ □ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)(d) or (f).  a)□ All b) □ Some * c) □ None of:  11□ □ Certified copies of the priority documents have been received in Application No. □ .  11□ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)(d) or (f).  11□ Certified copies o		M. VICTORIA VANDERHORST	3688					
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## **DETAILED ACTION**

## Election/Restrictions

1. Restriction is required under 35 U.S.C. 121 and 372.

This application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1.

In accordance with 37 CFR 1.499, applicant is required, in reply to this action, to elect a single invention to which the claims must be restricted.

**Group I,** claim(s) 1-14 and 22-28, drawn to television receiver receiving broadcast information including points.

**Group II**, claim(s) 15-21 and 29, drawn to a digital broadcasting system for broadcasting a digital television broadcast, the system provides the user with services corresponding to the points. The system receives package information and extracts conditional access software ID.

2. The groups of inventions listed above do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons:

The common technical feature in all groups is the television receiver. This element can not be a special technical feature under PCT rule 13.2 because the element is shown in the prior art. US Patent No. 5,181,107 teaches a television receiver (Fig. 1, element 73) where a subscriber request a menu of information services, after appropriated identification the subscriber can request different data from the menu such as video game, dating services, shopping selection etc, as claimed in claims 1-29.

3. Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even though the requirement may be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.

The election of an invention or species may be made with or without traverse. To preserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse. Traversal must be presented at the time of election in order to be considered timely. Failure to timely traverse the requirement will result in the loss of right to petition under 37 CFR 1.144. If claims are added after the election, applicant must indicate which of these claims are readable on the elected invention or species.

Should applicant traverse on the ground that the inventions have unity of invention (37 CFR 1.475(a)), applicant must provide reasons in support thereof.

Applicant may submit evidence or identify such evidence now of record showing the

inventions to be obvious variants or clearly admit on the record that this is the case. Where such evidence or admission is provided by applicant, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

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4. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to M. VICTORIA VANDERHORST whose telephone number is (571)270-3604. The examiner can normally be reached on regular.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynda Jasmin can be reached on 571 272 6633. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/M. VICTORIA VANDERHORST/ Examiner, Art Unit 3688

/Lynda Jasmin/ Supervisory Patent Examiner, Art Unit 3688